

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**UNITED STATES OF AMERICA**

**v.**

**MICHAEL T. FLYNN,**

**Defendant**

**Crim. No. 17-232 (EGS)**

**JOINT MOTION TO AMEND BRIEFING SCHEDULE**

On August 30, 2019, defendant Michael Flynn filed a motion to compel the production of *Brady* material, and for an order to show cause why the government should not be held in contempt of court. (ECF #109). This Court held a hearing on September 10, 2019, during which the Court set a briefing schedule for this motion, ordering the government to respond by September 24, 2019 by 12:00 p.m.; the defendant to reply by October 15, 2019 by 12:00 p.m.; and setting a hearing on the matter for October 31, 2019, at 2:00 p.m. (Minute Order of September 11, 2019; ECF #114).

On September 18, 2019, the Court issued a Minute Order continuing the hearing to November 5, 2019, at 11 a.m. On September 20, 2019, the defendant filed a consent motion to continue the hearing date to November 7, 2019, at 11 a.m. (ECF #115), which the Court granted that same day.

On September 23, 2019, the defendant filed an “Amendment” to his August 30, 2019, motion to compel production of *Brady* material. (ECF #116). The government requires limited additional time to review and respond to the defendant’s specific requests, both in his initial motion and in his amended motion. The government estimates that it will take an additional week to respond. The government therefor requests that this Court extend the government’s

deadline to respond to the defendant's motion to compel *Brady* to Tuesday, October 1, 2019, at 12 p.m.

The defendant requests, in turn, that the Court extend his reply deadline to October 22, 2019, at 12:00 p.m.

The parties agree that the date of the hearing, November 7, 2019, at 11 a.m., need not be amended.at this time.

Wherefore the government respectfully requests that the Court continue and reset the deadlines associated with the defendant's motion to compel the production of *Brady* material to October 1, 2019, for the government's response, and October 22, 2019, for the defendant's reply.

Respectfully submitted,

JESSIE K. LIU  
U.S. Attorney for the District of Columbia

By: /s/\_\_\_\_\_

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Dated: September 23, 2019

## CERTIFICATE OF SERVICE

I, Jocelyn Ballantine, certify that I caused to be served a copy of the foregoing by electronic means on counsel of record for the defendant on September 23, 2019.

/s/

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**Defendant**

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**[CONSENT PROPOSED] ORDER**

On September 23, 2019, defendant Michael Flynn filed an “Amendment” to his August 30, 2019, motion to compel production of *Brady* material. (ECF #116). At the time of this filing, the defendant did not oppose a request by the government to seek additional time to respond.

On September 23, 2019, the government filed a consent motion seeking limited, additional time to review and respond to defendant’s specific requests.

Upon consideration of both of these requests, it is hereby ORDERED that:

Defendant’s motion to amend his August 30 motion to compel the production of *Brady* material and to compel the government to show cause is GRANTED; and

The consent motion to permit the government an extension of time to respond to this motion to October 1, 2019, is GRANTED; and

The consent motion to permit the defendant an extension of time to reply to the government’s response to October 22, 2019, is GRANTED.

IT IS SO ORDERED.

Date: \_\_\_\_\_

\_\_\_\_\_  
The Honorable Emmett J. Sullivan Jr.  
United States District Judge